



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

DUBOIS et al.

Atty. Docket: P67228US0

Serial No.: 09/926,312

Art Unit: 3722

Filed: October 12, 2001

For: DISPOSABLE SOUND RECORDING AND REPRODUCTION DEVICE

THIRD STATUS REQUEST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The captioned application has been pending for over **THREE** years. The following history outlines the efforts made to receive initial examination without a meaningful response:

1. Applicant filed the above-identified application on April 13, 1999.
2. A Notice of Acceptance of Application was received on November 21, 2001.
3. Filing receipt was received on September 13, 2002.
4. Assignment Recordation received on January 18, 2002.
5. Information Disclosure Statement filed on October 10, 2002.
6. Status Request filed on April 7, 2003.
7. PTO-Mail received on April 11, 2003, indicating that the PTO projects that this application will be first examined in 0 to 3 months from April 11, 2003.
8. Telephone conference with Ms. Trudy Mitchell of PTO on March 5, 2004. Ms. Mitchell indicated that the application is next on Examiner's docket. Expect an action in 1-2 weeks.
9. Telephone conference with Ms. Trudy Mitchell of PTO on March 30, 2004, Ms. Mitchell indicated that we should receive an Office Action within one month.

10. Second Status Request filed August 5, 2004.
11. PTO-Mail received on August 9, 2004, indicating that the PTO projects that this application will be first examined in 0 to 3 months from August 9, 2004.
12. Telephone conference with Mr. Spencer of PTO on February 18, 2005. Mr. Spencer indicated that this application was going to be assigned to Group Art Unit 3722.
13. Telephone conference with Examiner Mark Henderson, Art Unit 3722 on February 18, 2005. Examiner Henderson indicated that the case was lost and when he finds the case he will send out an Office Action within 2 weeks. Examiner Henderson called back on February 18, 2005, and indicated that this case was in dispute and he was forwarding it to Group Art Unit 2655.

No action on the merits of this application has been received, as yet. The status of this application is urgently requested.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

By: Jonathan L. Scherer
Jonathan L. Scherer
Reg. No. 29,851

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
Date: April 6, 2005
JLS/dmt